

## Stokes Appeal Is Thrown Out As Scandalous

**Plan to Sell Property Used as Cloak to Slander His Former Wife and Enemies, Court Rules Holds It Violates Decency**

## Hotel Man's Effort to Act as His Own Attorney Is Also Halted by Judge

The affidavit filed in the Supreme court by W. E. D. Stokes, in connection with his application for permission to sell one of his numerous pieces of real estate, was ordered stricken from the court record yesterday by Justice March, on the ground that it was "scandalous and in violation of decency" without court permission because of the suit brought by Mrs. Helen Elwood Stokes to establish her dower rights, which she charges have been impeded to sign away through fraud and duress.

Mr. Stokes filed his papers as attorney in person in his application and on occasion to submit with it an affidavit that recited at length his troubles with his first wife, now Mrs. Philip M. Lydie. He also filed a copy of a letter he wrote to Samuel Untermyer, who was counsel for the present Mrs. Stokes in her suit to establish her dower rights.

Irvin Untermyer made the motion in which Justice March ordered the papers stricken from the record of the court. The justice also decided that Mr. Stokes could not appear as his own attorney on the application to sell property because he had not and himself substituted as counsel for the court procedure, for the attorney appeared for him in the dower suit. That matter was adjourned to Friday, when Mr. Stokes will be represented by a new lawyer.

"Scandalous matter of the character contained in the affidavit objected to has no place in the files of the court," said Justice March. "The motion was made by the defendant for the ostensible purpose of securing the release of certain real estate from the plaintiff's dower rights. He has seen fit to induce scandalous charges of a most serious nature, which have nothing to do with the subject matter of the motion, but tend seriously to injure individuals who are concerned in the litigation, as well as a number of others, who are in no way connected with it."

## Business Houses Back Red Cross Roll Call

The closing week of the Red Cross Roll Call is bringing up unusually numerous responses from business and industrial groups. Big business houses and industrial organizations, it was announced yesterday, have issued appeals for 100 per cent enrollments among their employees.

Included in the list are many of the leading hotels, more than 90 per cent of the railroads entering New York and all of the larger insurance companies. At the Hotel Plaza about 1,200 of the employees enrolled and twenty-two departments in the Metropolitan life insurance company have reported 100 per cent of their staffs.

Passengers on both incoming and outgoing Cunard liners will be given an opportunity to enroll on Saturday through the co-operation of officials of the line. This is in addition to the Armistice Day appeal which was made on the ships of the United States lines and the foreign lines on the high seas.

The Near East Relief has answered the call to a man and a contribution of \$400 has been received from the West End Presbyterian Church.

## Boy Police Make Arrest

Students Take Man to Station Charging Intoxication

Members of the Secaucus (N. J.) juvenile police department, made up of schoolboys between twelve and fifteen years old, made their first arrest yesterday, when Charles Flint, thirteen years old, George Neckbauer, fifteen, and Adam Gissler, twelve, took Aleck Lovinick, forty-five years old, of Secaucus, to the police station and requested Captain Doyle to retain the prisoner for safekeeping in the "cooler."

According to the juvenile policemen, their prisoner was under the influence of liquor and was in danger of injuring himself, and they deemed it best that he pass a few hours in jail. Captain Doyle agreed, and Lovinick was lodged in a cell and released after several hours.

Members of the juvenile police force were "deputized" a few days ago.

## STORAGE NOTICE

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## "Romeo et Juliette" First On Opera Bill Next Week

**"Loreley" To Be Given Initial Performance on Wednesday; "Parsifal" Friday**

"Romeo et Juliette" will open the fourth week of the Metropolitan Opera season next Monday night, with Mmes. Bori, Delaunoy and Wakefield and Messrs. Gigli, De Luca and Rothier, and Mr. Hasselmanns conducting.

"Loreley" will be given for the first time this season next Wednesday evening, with Mmes. Alda and Sundelius and Messrs. Gigli, Danise and Mar-dones. Mr. Moranzoni will conduct.

The season's first performance of "Parsifal" will be given Friday afternoon at 1 o'clock, with Mmes. Matzenauer, Sundelius and Telva and Messrs. Tauscher, Whitehill and Bender. Mr. Bodansky will conduct.

Other operas next week will be: "Boris Godunoff," Thursday evening, with Mmes. Delaunoy, Perini, Dalossy and Howard and Messrs. Johnson, Chaliapin and Rothier. Mr. Papi conducting.

"Aida" on Friday evening, with Mmes. Bori, Delaunoy and Sundelius and Messrs. Gigli, Danise and Mar-dones. Mr. Moranzoni conducting.

"Die Tote Stadt" will be next week's Saturday matinee, with Mmes. Jeritz, Telva, Delaunoy and Anthony and Messrs. Harold, Schutendorff, Diaz and Meader. Mr. Bodansky will conduct.

At next Sunday night's "opera concert" Erna Rubinstein, violinist, will play and Mmes. Bori, Delaunoy and Telva and Mr. Tauscher will sing with the opera orchestra, under Mr. Bambochek.

"Madame Butterfly" will be given at the Brooklyn Academy of Music on Saturday evening, with Mmes. Easton, Arden and Perini and Messrs. Chamlee and Scotti. Moranzoni conducting.

**Company Gives Lenore Ulric Punch Bowl on Anniversary**

Lenore Ulric begins her second year as Kiki in the play of the same name at the Belasco Theater to-night. Last night the members of the company presented the star with a silver punch bowl as a souvenir of the first anniversary of the play. Miss Ulric has not missed one of the 418 performances that have been given.

## Cosgrave Defends Childers Penalty In Attack in Dail

**O'Higgins Says Mary MacSwiney in Note Demanded Sister Be Allowed to See Her in Jail on Business**

DUBLIN, Nov. 28 (By The Associated Press).—William Cosgrave, President of the Dail, and Kevin O'Higgins, Home Minister in the provisional government, strongly defended the execution of Erskine Childers and treatment given Mary MacSwiney during her hunger strike in Mountjoy prison in a debate on financial estimates in the Dail to-day.

George Gavan Duffy, former Minister of Foreign Affairs, censured the government for putting Childers to death, asserting Childers had consecrated his life to the independence of Ireland and that he was sincere, brilliant and extraordinarily modest.

Mr. Cosgrave, in an impassioned reply, said the execution already had had a pacifying effect throughout the country. Members of the Dail, he said, were dealing with a situation in which assassination was in the minds of the people opposed to the government, and their newspapers reeked with incitatives to their dupes to commit these assassinations.

At the very moment he was speaking, Mr. Cosgrave went on, there was a gang actually at work to arrest members of the parliament and destroy the treaty. What was the effect of the execution? he asked. Already, he said, stolen property was being restored, people were tumbling in to pay their debts and a steady effort was visible all over the country. The government merely wants a surrender of arms, and it is going to get them if it has to search every house in the country, the President exclaimed. Arms were coming in, and the bed of the River Liffey was accommodating a lot of them, he said. Armed persons robbing others, said Mr. Cosgrave, would in future be brought before military courts, and every person guilty of robbing at the point of a gun would be

executed. The President was loudly applauded as he concluded.

Cathal O'Shannon, Laborite, said the Dail ministry had shown neither sense, humanity nor ordinary decency in refusing to allow Annie MacSwiney to visit her sister, Mary MacSwiney, while Mary was in Mountjoy prison on a hunger strike. Mr. O'Higgins, replying to Mr. O'Shannon, said Mary MacSwiney had sent him a strongly abusive and offensive letter demanding admission to the jail for her sister, not on the ground of illness or imminent death, but to transact business. Mary MacSwiney was in a state of revolt and insubordination, and military prisoners, even those not in revolt, had no right to receive visitors, said Mr. O'Higgins.

The present session of the Dail is in reality its last, as when it is convened again it will be as the lower house of the Free State Parliament.

## Miller Pardons "Life" Who Killed Relative When Drunk

ALBANY, Nov. 28.—Governor Miller to-day commuted the sentence of Charles B. Henry, fifty years old, of Schenectady, who was given a term in November, 1914, of from twenty years to life in state's prison for second degree murder of his brother-in-law.

Henry, who committed the shooting while intoxicated, has been an exemplary prisoner and appears to have completely reformed, the Governor's commutation said.

## George Washington Sails Bearing Christmas Mails

**Foreign Claims Commission Departs for England on United States Liner**

With a large consignment of Christmas mails and 1,000 passengers the George Washington, of the United States Lines, sailed from Hoboken yesterday for Plymouth, Cherbourg and Bremen.

Dr. George Edward Maclean, of Brooklyn, director of the American University Union, who is engaged in establishing an encouraging exchange of university students between the United States and European countries, was among the passengers on the liner. He said he was satisfied with the manner in which the work was progressing.

The members of the Commission for Adjustment of Foreign Claims, headed by Lieutenant Colonel Joseph I. McMullen, also departed for London, where they will meet on December 10 a similar British group to discuss the claims of British subjects against Americans and the claims of Americans against the British. They will also take up the question of alleged infringements of airplane patents.

Anton Hagedorn, member of the German Reichstag and Senator from Hamburg, also sailed. He said he was impressed by the friendly feeling of Americans for Germany. The Senator also stated that Germany is planning

a national cemetery similar to that at Arlington for the burial of German soldiers.

## Hospital Committee Takes Orchestra at Art Theater

The social service committee of the Broad Street Hospital has taken over the entire orchestra for the second

night performance of the Moscow Art Theater January 9. The play will be Count Alexei Tolstoy's "Tsar Fyodor Ivanovich," with which the organization will begin its engagement at the Forty-fourth Street Theater, under the direction of Morris Gest on the succeeding night. Mrs. Goodhue Livingston is chairman of the committee and Mrs. Henry Rogers Winthrop, treasurer.

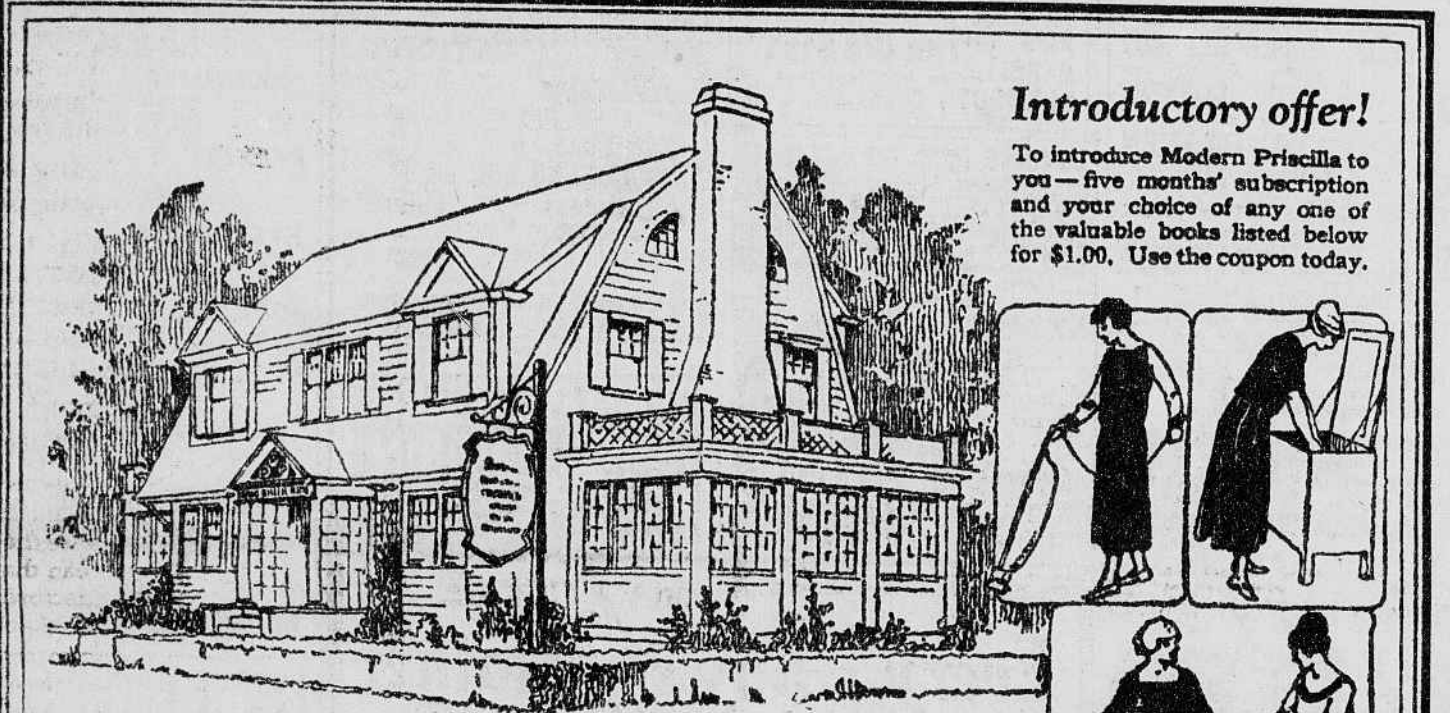
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